



Bus Company

January 30, 2017

Magistrate Judge Lois Bloom
United States District Court Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Case Status Report
Brian Thrane v. Metropolitan Transportation Authority, et al.
Civil Action No. 15-cv-7418 (FB-LB)

Dear Honorable Judge Bloom:

This letter is in response to your Scheduling Order of December 29, 2016, directing that the parties file a joint status report by this date. Following is a chronology of what has occurred pursuant to your directives.

Defendants on January 6, 2017, produced in their First Supplemental Initial Disclosures (Document 24) plaintiff's pay statement/summary for the period April 20, 2014 to April 20, 2015 (and for the period April 20, 2015 to April 20, 2016), a copy of the arbitration order that had been discussed on the record, and a front-and-back copy of the check endorsed by the plaintiff.

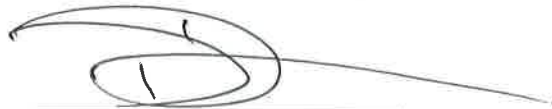
Plaintiff on January 6, 2017, contacted defendants via email advising that plaintiff does not have the last names of those individuals identified in plaintiff's initial disclosures by first name only. Plaintiff also emailed copies of six HIPAA authorizations. Defendants requested plaintiff mail the originals to defendants and, additionally, produce a HIPAA authorization for the MTA's Medical Assessment Center records (i.e., plaintiff's medical file relevant to this case) allowing the Medical Assessment Center to release documents to Plaintiff's counsel. Thereafter, on January 19, 2017, defendants received the authorizations, but not one for the Medical Assessment Center's records. Plaintiff maintains that this authorization was indeed mailed, but has agreed to mail another within two weeks. Upon the receipt of the authorization, defendants will release plaintiff's medical records to plaintiff's counsel.

On January 27, 2017, after close of business, plaintiff advised defendants via email that he was authorized to extend an "opening offer of \$120,000." On January 30, 2017, the parties discussed the demand.

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Going forward, the parties have agreed that plaintiff must review his Medical Assessment Center records to discuss settlement meaningfully. It is the intention of the parties to exchange the aforesaid authorization and records and to continue their discussions regarding settlement within the next three weeks. That said, the parties respectfully request that this Court schedule a settlement conference on February 28, 2017, or on such a date that this Court deems proper.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be 'TJ Deas', with a long horizontal line extending to the right.

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TJD:td